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August 30, 2022

Hon. Lorna G. Schofield United States District Judge 500 Pearl Street New York, NY 10007

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Heimburger S.A.S. v. Brands Within Reach LLC

22 Civ. 6194 (LGS)

Request for Extension of Time

Dear Judge Schofield:

I represent Petitioner Heimburger S.A.S. I request extension of the following dates indicated in your August 29, 2022 order ("the order"):

- a) the September 2, 2022 date on which the Petitioner was directed to file proof of service on the docket, is requested to be adjourned for three weeks, until September 23, 2022; and
- b) the September 9, 2022 date on which the parties were directed to file a proposed briefing schedule on the Petition, is requested to be adjourned for six weeks, until October 21, 2022.

This is the first adjournment request made.

Petitioner's Civil Cover Sheet provided Respondent's address, which gave a wrongful appearance that Respondent had appeared. Respondent's alleged appearance was noted in the order. Respondent has not appeared, however. I regret the error. My firm wrongly understood the address and other particulars provided for the Respondent was for general information purposes only.

The addition of the information initially placed concerning the Respondent, which should not have been placed, has been eliminated.

Application **GRANTED**. By **September 23, 2022**, Petitioner shall file proof of service. By **October 21, 2022**, the parties shall file a proposed briefing schedule on the Petition.

Dated: August 31, 2022 New York, New York

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

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Because the Respondent has not appeared, it is necessary to serve the Respondent now with the Summons and Petition. I had anticipated serving the Respondent with the proposed order to show cause. Petitioner wishes to serve the Respondent in different locations in different cities and States.

Further, I would ask that the adjourned date to file an affidavit of service allow for the preparation of a supporting memorandum of law, to be served with the Summons and Petition.

Finally, the September 9<sup>th</sup> briefing schedule date should be adjourned until Respondent has been served and it becomes clear that it wishes to appear and to participate in filing a briefing schedule.

Respectfully submitted,

Kenneth T. Wasserman